

Remarks

In response to the Restriction Requirement mailed on May 21, 2008, Applicants elect Group III, claims 72, 74, 75, and 78-83, drawn to a composition comprising a double-stranded siRNA agent, which inhibits expression of FAS, with traverse.

Applicants traverse the restriction with respect to Group III and Group VII. This application is subject to PCT standard of unity of invention as defined by PCT Rule 13. The PCT Rule 13.1 states that "[t]he international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept." PCT Rule 13.2 states that "the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features." Moreover, the Rule defines that "[t]he expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art."

Applicants respectfully submit that the Examiner has not set forth prior art that would teach siRNAs against FAS and thus a method of inhibiting apoptosis in a cell or a subject comprising administering siRNAs against FAS, i.e., Group VII should be examined with Group III, which is directed to such siRNAs against FAS. Groups III and VII have the same or a corresponding special technical feature, namely siRNAs against FAS.

The Applicants elect the species hepatitis.

Applicants reserve the right to file continuing applications or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

In view of the foregoing, Applicants respectfully request early and favorable consideration of the claims.

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Response filed November 20, 2008

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In the event that any additional fees are required, the Commissioner is hereby is authorized to charge our deposit account No. 50-0850. Any overpayments should also be deposited to said account.

Date: November 20, 2008

Respectfully submitted,

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